

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re ELAN CORPORATION  
SECURITIES LITIGATION

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Master File No. 1:08-cv-08761-AKH

**THE ELAN DEFENDANTS' NOTICE OF MOTION  
TO DISMISS THE CONSOLIDATED COMPLAINT**

PLEASE TAKE NOTICE that Defendants Elan Corporation, plc, G. Kelly Martin, and Lars Ekman, upon the accompanying memorandum of law, and the Declaration of Jaculin Aaron, both dated December 11, 2009, and the exhibits annexed thereto, move this Court for an order dismissing the Consolidated Complaint for Violations of the Federal Securities Laws in the above-captioned matter with prejudice pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act, and awarding them such other and further relief as the Court deems appropriate.

A Table of Contents for the motion is annexed hereto.

Dated: New York, New York  
December 11, 2009

SHEARMAN & STERLING LLP

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